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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,912	10/09/2003	Reuben Bibi	JOSEF 3.0-001	7688

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EZRA SUTTON, PA

PLAZA 9

900 ROUTE 9

WOODBIDGE, NJ 07095

EXAMINER

MENDIRATTA, VISHU K

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/681,912

Applicant(s)

BIBI, REUBEN

Examiner

Vishu K Mendiratta

Art Unit

3711

-- The MAILING DATE of this communication appears on th cover sheet with the correspondenc address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3 and 6-11 is/are rejected.
7) ☒ Claim(s) 5 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1,9,10 rejected under 35 U.S.C. 103(a) as being unpatentable over Voden (6764409).

Claim 1: Voden teaches a frame (12), table section (10), means for rotating (48), playing surfaces on both sides of the table section (2:52-55), retaining means (Fig.5), and storage compartment (34), and all being in same horizontal plane.

Voden teaches all limitations except that it does not teach drawers on both sides. In a game where two teams play opposite to each other, it is often seen that each team needs to store their game pieces separately. Because players sit on opposite sides of the game table, it would have been obvious to provide separate drawers for them for their convenience. Game tables having drawers is a common feature and would have been obvious to provide separate drawers for players on opposite sides for their convenience.

Claim 9: Voden teaches playing multiple games (2:52-55). Playing a particular game is an intended use of the table. One of ordinary skill in art at the time the invention was made would have suggested using the table for playing any attractive game by changing to a different playing theme.

Claim 10: Voden teaches commonly used table , inherently these tables are made of wood and plastics.

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2. Claims 2-3,6 rejected under 35 U.S.C. 103(a) as being unpatentable over Voden in view of Wise (6113182).

Voden teaches all limitations except that it does not teach using a spring loaded retaining mechanism

Wise teaches a game table with spring loaded retaining mechanism (Fig.5-6). Such pivoting/retaining mechanisms are known for a long time and used in game tables for rotating and restraining game surfaces in horizontal position. In order to achieve such configurations, it would have been obvious to use spring loaded pivoting/retaining mechanisms. One of ordinary skill in art at the time the invention was made would have suggested using spring loaded pivoting/retaining mechanisms for restraining game surfaces.

3. Claims 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Voden in view of Davis (3001843).

Voden teaches all limitations except that it does not teach folding legs. Davis teaches folding legs (44). Game users appreciate if they can save space while storing game tables. In the art area of board games it is a common practice to make game table and surfaces with folding features. In order to save space, it would have been obvious for one of ordinary skill in art to suggest making folding legs for a game table.

4. Claims 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Voden in view of Schindler (139425).

Voden teaches all limitations except that it does not teach retaining/recessed wall.

Schindler teaches (Fig.10) recessed wall to avoid pieces from falling off of the table.

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Such features are commonly known in the art area and would have been obvious to play games without interruptions of having to pick pieces from floor. There could be various reasons why retaining walls are made surrounding playing surfaces.

5. Claims 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Voden in view of official notice.

Horovitz teaches all limitations except that it does not teach certain material or size for a game table.

Well known in the art are tables made out of wood/plastics. It would have been obvious to use any material or size for a game table. Such features are well known and often not critical to playing a game.

Allowable Subject Matter

6. Claim 5 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-3,6-11 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishu K Mendiratta whose telephone number is (571) 272-4426. The examiner can normally be reached on Mon-Fri 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (571) 272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Vishu K Mendiratta
Primary Examiner
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A handwritten signature in black ink, appearing to be 'VKM', written over the printed name and title.

VKM

January 28, 2005